

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

| | | |
|--------------------------|---|-----------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | No. 2:08-CR-016 |
| |) | |
| GARY MOORE |) | |

MEMORANDUM AND ORDER

This criminal case is before the court on the parties' joint motion for a continuance of the May 4, 2011 trial date [doc. 204]. Therein, the defendant argues that his counsel needs additional time to prepare for trial in light of the voluminous discovery and the severity of the charges. Counsel for both parties also advise the court that they are scheduled to be in another trial on the date this matter is currently scheduled.

The court finds the motion well taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). In light of the reasoning set forth by the parties, the court finds that the failure to grant the motion would deny defense counsel the reasonable time necessary for effective trial preparation and would unreasonably deny continuity of counsel for both parties. 18 U.S.C. § 3161(h)(7)(B)(iv). The motion requires a delay in the proceedings. Therefore, all the time from the filing of the

motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

It is hereby **ORDERED** that the joint motion [doc. 204] is **GRANTED**, and this criminal case is **CONTINUED** to Tuesday, **June 21, 2011, at 9:00 a.m.** The new plea cutoff and motion filing date is June 7, 2011.

ENTER:

s/ Leon Jordan
United States District Judge